

Minutes: REGULAR CITY COUNCIL MEETING, April 16, 1984
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MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 16, 1984

PRESENT

Grant S. Nielson
Don Dafoe
Neil Dutson
Craig Greathouse
Kjell Jenkins
Ruth Hansen

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Warren Peterson
Dorothy Jeffery
John Quick
Ray Valdez
Neil Forster
Laura Burnham
Dennis Westwood
Darlene Westwood
Jim Fletcher
Tex Searle
Dan Randall
Martin Ludwig
Leah Kauwe
Del Ashby
Barbara Ashby
Ray Barraclough
Verdell Bishop

City Manager
City Attorney
City Recorder
City Engineer
City Building Inspector
City Public Works Superintendent
City Parks & Recreation Director
Animal Control Officer
County Resident
KNAK Radio Station
Del Park
Del Park
City Resident
City Resident
West Millard Hospital District
West Millard Hospital District
West Millard Hospital District
Hospital Board Member

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette, and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

The minutes of a Regular City Council Meeting held April 2, 1984, were presented to the Council. Council Member Don Dafoe MOVED to accept the minutes as corrected. Council Member Craig Greathouse SECONDED the motion, which carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery explained there was only one bill for the Council's consideration of payment, which is a bill from P&E Engineering in the amount of \$4,475. This bill is for surveying, designing and staking Delta Estates sewer and water lines. The bill also referred to \$1,000 that would be due for construction staking. This bill will be paid from the Delta Estates Special Improvement District funding.

John Quick, City Engineer, stated the amount of the bill is different than the amount agreed on originally.

Mayor Nielson suggested John Quick meet with P&E Engineering and review the agreement for the work completed and report to the Council at the April 23, Regular City Council Meeting. However, because the work was completed quite some time ago, Mayor Nielson recommended the City Council approve a partial payment now with the balance to be presented at the next Regular City Council Meeting.

Council Member Neil Dutson MOVED to authorize John Quick to review the P&E Engineering agreement for the survey design and staking Delta Estates water and sewer lines and report to the Council at the April 23 Regular City Council Meeting, also to approve a partial payment of \$3,000 now with the balance of the bill to be presented at the April 23 Regular City Council Meeting. The motion was SECONDED by Council Member Craig Greathouse and carried unanimously.

BUSINESS FROM PREVIOUS MEETINGS

CONSIDERATION OF DEL PARK ANNEXATION - MOBILE HOME PARK PLAN AND SUBDIVISION PLAT

City Attorney Warren Peterson explained that both the Del Park annexation, Phase II, and the Del Mar subdivision plat were placed on the agenda as one item, but should be considered separately. Attorney Peterson told the Council that if the annexation plan, as redesigned with regard to park dedication, is in a form the Council feels comfortable with, he will prepare the final annexation ordinance. Attorney Peterson further stated the Public Hearings were held on this annexation approximately two years ago and one outcome of the public hearing was that some dimensions of the park dedication needed to be adjusted.

Attorney Peterson told the Council he and the Mayor had met with Tex Searle and reviewed the materials and felt it was ready to present to the Council. Attorney Peterson explained one item to be presented was the proposed annexation boundaries, and the second, the final subdivision plat. He also stated the preliminary plat had been approved by the Planning and Zoning Commission, but as far as he could tell the preliminary plat has never been approved by the City Council; however, under City ordinances the City Council can approve the final plat without having previously approved the preliminary plat. He also said there were some procedural matters regarding

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the plat approval that needed to be cleared. He then asked the Mayor if the time could be turned over to Tex Searle and Dan Randall to present their requests.

Mr. Randall stated that the preliminary plat had been approved by the City Council in July of 1982, and that the Mobile Home subdivision plat had been drawn up in October of 1982. He then displayed the final plat of the subdivision for the Council's review and discussion.

Mr. Randall told the Council that there are approximately 30 acres in the proposed annexation. The park area is 1.9 acres and approximately \$6,000 to \$7,000 would be spent on improvements in the park.

Council Member Neil Dutosn stated he thought that when a park was dedicated to the City, the park would also be improved so the City would not have to spend a lot of money up front to improve the park. Mr. Randall and Mr. Searle agreed to submit more specific information on the park plan.

Following a general discussion of the proposed park and the improvements to be installed in the park, Council Member Don Dafoe MOVED to authorize Attorney Peterson to draft an ordinance approving annexation of that area and that Tex Searle and Dan Randall present the Council with an estimate of the amount of improvements that can be accomplished with annexation dedication. At that time the Council will review the figure and either approve or disapprove the park development dedication. The motion was SECONDED by Council Member Ruth Hansen and received the unanimous affirmative vote of all Council Members present.

Mayor Nielson asked Attorney Peterson what his recommendation would be regarding the subdivision final plat. Attorney Peterson stated that the best thing would be to give conditional approval, but the subdivision cannot be completed until the property is annexed. Mayor Nielson then asked John Quick to review the water and sewer lines in that area.

Mr. Quick stated he had reviewed the final plat and sent some marked copies to Mr. Grifford, Del Mar engineer, for his review. Mr. Quick said he had received a letter last week from Mr. Grifford stating that the corrections have been made. Additional things needed prior to John's signing off on this plat are:

1. A copy of the sewer as-built drawings for the City.
2. A dedicated easement for drainage.
3. Clarification of utility line requirements. Mr. Quick stated he had two questions regarding the utilities. Delta City required a 10-inch water line from 500 West all the way to the end of the subdivision. Del Park is now requesting an 8-inch line. Engineer Quick still recommended the 10-inch line to assure adequate capacity for future development by these same parties in their proposed annexation area. If Del Park is allowed to have the line sized down and not extended, the City's ability to service that area will be reduced.

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Mr. Randall stated they will not receive any benefits from putting in the 10-inch line and it would increase the cost considerably; therefore, if the City wants a 10-inch line, the City should have to pay for it.

Mayor Nielson said he understood Mr. Searle and Mr. Randall would not benefit from the larger sized sewer line; however, the City's position is that the contractor should put in the 10-inch sewer line and recoup some of his money when others hook onto that line. Mayor Nielson then stated it is up to the Council what action should be taken at this time.

Council Member Neil Dutson MOVED that the final approval for Plat "A" of the Del Mar Subdivision be approved subject to the following conditions: (1) The property must first be annexed into the City. (2) The water system should be designed for the subdivision to allow Mr. Searle and Mr. Randall to run a 10-inch line to the Northeast corner of 550 South Street and an 8-inch line down 550 South Street and along 560 West Street and 650 South Street ending at 500 West Street. If they go beyond Phase II (20 more lots or a total of 34 lots), they will be required to put in a 10-inch line from 550 South Street to 650 South Street along 500 West Street, which will tie the pressure loop together. The motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any comments on the proposed motion.

Attorney Peterson explained to the Council that 550 South Street is not part of the subdivision. The present park in that area does not have public access to it because the only access is through the Mobile Home Park, which is a private access. The owners did not propose to dedicate this street until Phase II of Del Mar Estates, but if Phase II never takes place, there will be no public access to the park. Typically, streets are not dedicated until they are improved; however, the City is asking the owners to dedicate the street and provide for improvement at a later date.

Three approaches could be taken:

1. Dedicate 550 South Street without improvements with a development agreement stating at such time as Phase II is developed, the owners or their successors will improve the street.
2. Require that the street be dedicated and improved now.
3. Require an easement to Delta over the existing improved roads in the Mobile Home Park to the Park until such time as 550 South Street is improved and dedicated.

It was the opinion of the Council that proposal number three should be included in this motion, and the MOTION was so amended by Council Member Dutson and SECONDED by Council Member Dafoe. The Mayor asked if there were any further comments. At this point there were none. He then called for a vote on the motion, which went as follows:

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Council Member Neil Dutson	Yes
Council Member Don Dafoe	Yes
Council Member Craig Greathouse	No
Council Member Kjell Jenkins	Yes
Council Member Ruth Hansen	Yes

The motion carried.

ROY BARRACLOUGH - DISCUSSION REGARDING THE WEST MILLARD HOSPITAL
CONSTRUCTION AND FEES

Mayor Nielson asked Roy Barracloough to address the Council regarding his request for waiver of costs for the new Intermountain Health Care Hospital.

Mr. Barracloough presented some background on the decision of building the new hospital and the status report on the project to date.

Mr. Barracloough stated the purpose of his attendance at this Council Meeting was to request special consideration of the fees charged to the hospital so the project could be completed within the proposed construction budget.

The following letter from Mr. Ray Barracloough was received by the City prior to the Council Meeting:

April 13, 1984

Grant Nielson, Mayor
Delta City
Delta, Utah 84624

Dear Mayor Nielson:

I have just been informed by our Construction Project Coordinator that Delta City has assessed a total of \$21,765.68 for permits and other fees for the new hospital, itemized as follows:

Building Permit	\$8345.68
Water Dedication Fee	5750.00
Sewer Fee	4600.00
Water Meter	3070.00

While allowance was made in the budget for such fees, based on previous experience with other projects of similar size, the budget does not contain funds sufficient to cover the amount assessed without an adjustment (reduction) to some other phase of the project -- probably to much needed capital equipment.

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Our concerns are as follows:

1. Based on other projects of similar size and location--and even allowing for differences in philosophy, tax base, permit fee schedules, etc.--the amounts assessed appear to be well in excess of those charged by other communities for such construction projects.
2. In and at this early date in the construction, we have been "surprised" by other non-budgeted items which are testing our abilities to keep total project costs within budgeted amounts. Specific reference is made to the fact that the sewer line was not brought to the property line by IPP as we had understood it would be and that the water line is a dead-end system which will have to be double looped to provide the hospital with the necessary and required system back up. While negotiations are still under way with IPP to solve these deficiencies, we fully anticipate incurring additional expenses from one or both of these items.

In the interest of cost containment and cooperative community spirit, we have successfully negotiated minimum fees, or even a waiver of all fees with other communities, and still hope for the same spirit in Delta.

In view of the issues listed and others to be addressed, I would very much appreciate the opportunity to review this matter with you and any other appropriate individuals at your earliest convenience. I hope the afternoon of Monday, April 16th will afford us that opportunity.

We are committed to the project in Delta, and will appreciate all the assistance you can provide us in successfully accomplishing our budgeted objectives.

Thank you for your kind attention to this matter.

Sincerely,

Roy E. Barraclough
Administrator

Attorney Peterson stated the water and sewer bond requires all users to pay a uniform fee, and because of this the City could not waive the water and sewer hook-up fees. Council Member Don Dafoe suggested the only way the

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City could reduce any of the building inspection fees would be to waive the water dedication fee until such time as the hospital is on the water system.

At this point in the meeting Attorney Peterson requested that he be allowed to meet with Mr. Barraclough in one of the offices and discuss the matter there instead of taking the Council's time. He said they would then report back to the Council after they had completed their discussion concerning the problems in the City waiving any construction fees for the hospital.

PARKS AND RECREATION DIRECTOR LAURA BURNHAM DEPARTMENT QUARTERLY REPORT

Laura Burnham, the Parks and Recreation Director, gave her quarterly report. She presented to the Council the following list of activities that will be available to our community in the coming months:

PROGRAMS: APRIL - AUGUST

I. SPORTS

- | | |
|---------------------|--------------------|
| -MEN'S SOFTBALL | -SAND VOLLEYBALL |
| -WOMEN'S SOFTBALL | -YOUTH SOCCER |
| -GIRL'S SOFTBALL | -TENNIS |
| -COED SOFTBALL | -KARATE |
| -T-BALL/COACH PITCH | -SELF DEFENSE |
| -LITTLE LEAGUE | -3 ON 3 BASKETBALL |
| -PONY LEAGUE | -SUMMER FUN |
| -COLT LEAGUE | -TOT-TIME |
| -DANCE AEROBICS | |
| -FITNESS AEROBICS | |
| -AQUA AEROBICS | |
| -IPP AEROBICS | |

II. HOBBIES AND SPECIAL INTEREST

- SUMMER PHOTO SHOW
- ARTS AND CRAFTS
- KITE MAKING/CONTEST
- COLORING CONTEST

III. SPECIAL EVENTS & ENTERTAINMENT

- OPENING SOCIAL
- ROAD RACES
- VOLLEYBALL TOURNAMENTS
- SOFTBALL TOURNAMENTS
- MUSIC IN THE PARK
- 4TH OF JULY CELEBRATION
- DANCES
- FALL FESTIVAL "LIFE BE IN IT"
- BIKE SAFETY/RODEO

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IV. PARKS

- GAME TIME EQUIPMENT
- REPAIR EXISTING EQUIPMENT
- COMPLETION OF PARKS

Following the presentation that Ms. Burnham had given, she asked if there were any comments from the Council. There was some discussion regarding her using some of the boy scouts in the area to assist her in some of the work that needs to be done, such as painting equipment. Ms. Burnham also informed the Council that the Recreation Center at White Sage should be completed and available for use by the end of May. Mayor Nielson thanked Laura for her report.

DENNIS WESTOOD: REPORT ON ANIMAL CONTROL

Dennis Westwood informed the Council that to date he had only sold 38 dog tags, which is low for this time of the year. He then presented the following items for discussion and review of the Council:

1. He has handled 3 vicious dog attacks on people in the last 3 weeks.
2. He has received many phone calls from new people in the area regarding Delta City's ordinance covering the leash law.
3. He has been working with the Chief of Police, Greg Cooper, and City Manager, Jim Allan, on a program to issue citations for violations of our animal control ordinance.
4. He is in the process of building an \$18,000 kennel to house the animals. His daily fee for housing an animal will have to be increase from \$.50 per day to \$2.00 per day. This building is approximately 26 feet by 30 feet and will be heated in the winter and cooled in the summer. It also contains an office for his work and an area for boarding and grooming the dogs. The building will be a two-story building. The lower floor will have 8 spaces for dogs. There will be 8 individual kennels on the upper floor. Each kennel will be 3 feet by 4 feet wide and 6 feet long.

Mr. Westwood then asked the Council if they had any questions. Council Member Hansen said that she had been told by several people that it was hard to get in touch with Mr. Westwood by phone. Mr. Westwood said he understood this problem, but that the new kennel will help solve this problem. A telephone will be in the building and there will be someone in the building most of the time.

Mayor Nielson thanked Mr. Westwood for his attendance at the meeting and for the report that he had given.

Mayor Nielson then told the Council that Attorney Peterson and Mr. Barraclough had returned to the meeting. He then turned the meeting over to Mr. Barraclough.

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Mr. Barraclough stated after he had talked to Attorney Peterson he understood the problems that would be created if the Council were to grant the original request for waiver of sewer and water construction fees and building inspection fees on the hospital project because it would require some special ordinance modification or passage and he did not feel that this was an acceptable situation. He withdrew his request for any special consideration of construction fees for the hospital. Mr. Barraclough stated he would appreciate the waiver of water dedication fees until the hospital was operational. This would help considerably, he said. He also said he would appreciate the Council's continued study of this issue. If anything can be done without creating an unwanted precedent, he would appreciate such consideration from the Council. Mr. Barraclough then thanked the Council for this time on the agenda and for their community support of the hospital project.

Mayor Nielson stated he felt there was no problem with the water dedication being waived until such time as the hospital is operational. Council Member Don Dafoe MOVED to waive the water dedication fees for the new hospital until such time as the hospital becomes operational. The motion was SECONDED by Council Member Neil Dutson and carried the unanimous affirmative vote of all Council Members present.

FIRE TRUCK BID ON QUICK REACTION VEHICLE

City Manager Jim Allan explained to the Council that he had received 3 bids on a quick reaction vehicle for the fire department. The lowest bid was \$11,364. This is for a 3/4-ton truck, with a 454 cubic inch engine, 4-wheel drive with a utility bed. This bid was received from Riding Ford. The bids ranged from \$14,178 to the low bid of \$11,364. City Manager Allan explained that Bryce Ashby, the Fire Chief, had checked this truck to be sure it will meet the needs of the fire department, which it does.

Following a general discussion of the bids, Council Member Craig Greathouse MOVED to purchase the 3/4-ton truck from Riding Ford for \$11,364 and to authorize Jim Allan and Bryce Ashby to order the other needed equipment for the truck and report to the Council on the cost of the equipment. This motion was SECONDED by Council Member Don Dafoe and carried the unanimous affirmative vote of all Council members present.

COMMENTS FROM DEPARTMENT HEADS REGARDING THE P.I.N. PROGRAM

City Manager Jim Allan read the letters from the different department heads regarding the Professional Information Network (P.I.N.) Program. The letters were written by Public Works Superintendent Neil Forster, Chief of Police Greg Cooper, City Treasurer Doyle Bender, and City Recorder Dorothy Jeffery. Mr. Allan explained to the Council the benefits of the program for the department heads and requested authorization to subscribe to this program for one year. The cost of the program is \$695 per year. Council Member Craig Greathouse MOVED to authorize City Manager Jim Allan to purchase P.I.N. for \$695. The motion was SECONDED by Council Member Kjell Jenkins and received the unanimous affirmative vote of all Council Members present.

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WILFORD JENSON CONSTRUCTION COMPANY PAY REQUEST FOR WORK COMPLETED TO DATE
ON DELTA CITY MUNICIPAL BUILDING

The Council reviewed the pay request from Wilford Jenson Construction Company for work on the Delta City Municipal Building to Marh 31, 1984. The pay request is for the amount of \$51,458.40.

Following the discussion of the bill and a detailed review of the itemized billing, Council Member Neil Dutson MOVED to approve payment to Wilford Jenson Construction Company in the amount of \$51,458.40 for work completed during the period of March 1, 1984, to March 31, 1984. The motion was SECONDED by Council Member Ruth Hansen and carried a unanimous affirmative vote by all Council Members present.

DISCUSSION REGARDING POSITION OF LIBRARIAN

Council Member Ruth Hansen explained to the Council that there have been many discussions with the Library Board on the qualifications that they want in a librarian and the hours that the new library should be open. The board recommended that the library should be open from mid-afternoon to 8:00 p.m., Monday through Friday, and from 1:00 to 5:00 p.m. on Saturday.

There was a general discussion on the qualifications that the Library Board would require of a librarian. Wages that were discussed were from \$767 to \$1092 monthly. This would be for a 35- to 40-hour week. Following the discussion, Council Member Don Dafoe MOVED to authorize City Manager Jim Allan to advertise for a librarian with the qualifications discussed. The motion was SECONDED by Council Member Craig Greathouse and carried the unanimous affirmative vote of all Council Members present.

Council Member Don Dafoe informed the Council that he had purchased a dry press for the library. The cost of a dry press is \$643.90. Council Member Dafoe paid \$143.90, leaving a balance due of \$500.00 on the dry press. This bill was given to Recorder Dorothy Jeffery to be presented with the accounts payable at the April 23, 1984, Regular City Council Meeting.

OTHER BUSINESS

Mr. Martin Ludwig told the Council that the headgate that he had requested be covered at the last City Council Meeting was still giving him problems and to his knowledge no one had been down to even check it out. He requested the headgate be covered as soon as possible. He was assured by the Council that this matter would be taken care of within the next week.

BUSINESS REQUESTED FOR CONSIDERATION FOR APRIL 23, 1984, REGULAR CITY
COUNCIL MEETING FUTURE AGENDA

1. Chamber of Commerce to discuss the Clean-up Campaign.
2. Street Improvement Projects and Funding for the Project
3. Report from Neil Forster on the activities of Personnel in the Public Works Department

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EVALUATION OF CITY MANAGER

Council Member Don Dafoe MOVED that the Council go into a closed session for the purpose of discussion of personnel. This motion was SECONDED by Council Member Craig Greathouse and the voting was as follows:

Council Member Don Dafoe	Yes
Council Member Craig Greathouse	Yes
Council Member Kjell Jenkins	No
Council Member Neil Dutson	Yes
Council Member Ruth Hansen	Yes


The Council then went into executive session at 10:02 p.m.

At the completion of the closed session, Council Member Neil Dutson MOVED the Council return to open meeting. The motion was SECONDED by Council Member Craig Greathouse and carried the unanimous affirmative vote of all Council Members present.

Upon returning to the open Council Meeting, Council Member Neil Dutson MOVED the meeting adjourn. The motion was SECONDED by Council Member Craig Greathouse and the motion carried. The meeting adjourned at 10:31 p.m.



Mayor Grant S. Nielson



City Recorder Dorothy Jeffery

MINUTES OF A PUBLIC HEARING HELD APRIL 23, 1984

PRESENT

Grant S. Nielson	Mayor
Neil Dutson	Council Member
Craig Greathouse	Council Member
Kjell Jenkins	Council Member
Ruth Hansen	Council Member

ABSENT

Don Dafoe	Council Member
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OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney